

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Dwight Holland,) CASE NO 12-CV-791 JLR-MAT
Plaintiff,)
vs.)
KING COUNTY ADULT DETENTION,)
KING COUNTY et al.,)
KING COUNTY DISTRICT COURT EAST)
DIVISION -REDMOND COURTHOUSE et al.,)
WASHINGTON STATE DEPARTMENT OF)
LICENSING et al.,)
WASHINGTON STATE PATROL et al,)
KING COUNTY PROSECUTING ATTORNEY'S)
OFFICE et al.)
Defendant(s).

FILED ENTERED
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AUG 27 2012 LK
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY



12-CV-00791-CMP

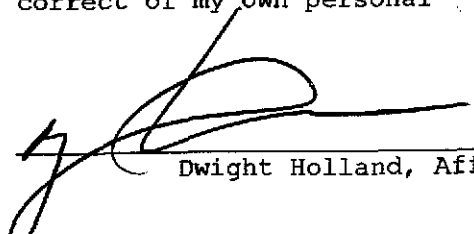
VERIFICATION OF COMPLAINT

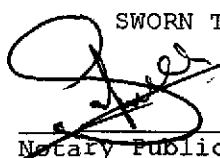
STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

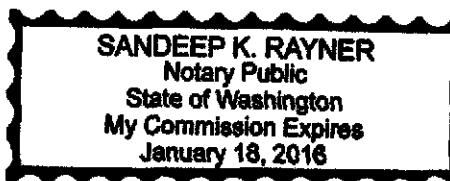
BEFORE ME personally appeared the Dwight Holland who, being by me first duly sworn and identified in accordance with Washington State Law, deposes and says:

1. My name is Dwight Holland, plaintiff herein.
2. I have read and understood the attached foregoing complaint filed herein, and each fact alleged therein is true and correct of my own personal knowledge.

FURTHER THE AFFIANT SAYETH NAUGHT.


Dwight Holland, Affiant

SWORN TO and subscribed before me this 23rd day of Aug, 2012

Sandeep K. Rayner
Notary Public



My commission expires: 01/18/2016

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

Dwight Holland,)	CIVIL RIGHTS COMPLAINT UNDER
Plaintiff,)	42 U.S.C. 1983
vs.)	DEFENDANT'S FIRST AMENDED COMPLAINT
KING COUNTY ADULT DETENTION,)	
KING COUNTY et al.,)	
KING COUNTY DISTRICT COURT EAST)	
DIVISION -)	
REDMOND COURTHOUSE et al.,)	<u>JURY TRIAL DEMANDED</u>
WASHINGTON STATE DEPARTMENT OF)	
LICENSING et al.,)	
WASHINGTON STATE PATROL et al,		
OFFICER WSP ANTHONY BROCK in his		
individual and official capacity as		
Washington State Patrol officer,		
LAKEYSHA NICOLE WASHINGTON in her		
individual and official capacity as		
Prosecuting attorney,		
KING COUNTY PROSECUTING ATTORNEY'S		
OFFICE et al.,		
GARY WESTSIDE TOWING LLC		
Defendant(s).		

COMPLAINT

1. Plaintiff Dwight Holland Pro Se Litigant and Citizen of the state of Washington, on this day brings suit against the following defendants WASHINGTON STATE PATROL et al, TROOPER ANTHONY BROCK who is an agent for WASHINGTON STATE PATROL. KING COUNTY et al, and its agents at the KING COUNTY ADULT DETENTION, KING COUNTY PROSECUTING ATTORNEY'S OFFICE et al, and has added in this amended complaint the following: agents LAKEYSHA NICOLE WASHINGTON, KING COUNTY DISTRICT COURT EAST DIVISION - REDMOND COURTHOUSE et al., GARY WESTSIDE TOWING LLC, DEPARTMENT OF LICENSING and states:

JURISDICTIONAL BASIS

2. Plaintiff claims federal jurisdiction pursuant to Article III §2 which extends the jurisdiction to cases arising under the U.S. Constitution.

3. Jurisdiction of this Court arises under Title 42 U.S. Code § 1983 for violations of certain protections guaranteed him by the Fourth, Fifth, Sixth and Eight amendments of the Constitution.

4. Venue is proper in this District because the acts and transaction between the parties occurred here. Plaintiff resides here, and Defendants transact their business here.

5. This court has jurisdiction because the claims for relief of damages are in excess of \$2.5 million dollars.

6. That all claims for relief set forth in this complaint arise from a common nucleus of operative facts.

7. That this entire action constitutes a single case which should be heard in a single judicial proceeding.

PARTIES

8. Plaintiff Dwight Holland is a Citizen of the Washington State, residing at 325 Washington Avenue South, Kent, Washington [98032].

9. Defendant KING COUNTY ADULT DETENTION a public entity with its principal office 516 3rd avenue, and is an agent KING COUNTY, Washington.

10. Defendant WASHINGTON STATE PATROL is a public entity with its principal office at the General Administration Building PO box 42600, Olympia WA 98504-2600.

11. Trooper ANTHONY BROCK who is an agent of the above public entity.

12. LAKEYSHA NICOLE WASHINGTON who is prosecuting attorneys for KING COUNTY PROSECUTING ATTORNEY'S Office, which is a public entity with its principal

office at King County Courthouse, Room W554, 516 Third Avenue Seattle, Washington and is a KING COUNTY agent.

13. KING COUNTY DISTRICT COURT EASTERN DIVISION - REDMOND COURTHOUSE located at is an entity of KING COUNTY location 8601 160th avenue north east, Redmond Washington 98052.

14. DEPARTMENT OF LICENSING an agent of the state PO Box 9030 - Olympia, Washington 98507-9030.

15. GARY'S WESTSIDE TOWING LLC - 3400 2ND avenue South, WA 98134.

FACTUAL ALLEGATION

16. On or about the early morning of September 16th, 2011 the plaintiff was traveling on First Avenue Bridge heading south, when he was stopped for allegedly speeding (Exhibit A). WASHINGTON STATE TROOPER ANTHONY BROCK hereinafter 'officer' unlawfully detained and painfully taken into custodial arrest the plaintiff. In addition the officer had unlawfully had the plaintiff property seized, by a Gary Auto, held for 12 hours. The plaintiff had to pay monies to regain custody of his rightful property from Gary Auto (Exhibit B).

17. During the processing of the plaintiff the officer has punched (invalidates) the plaintiff's license, adding further injury and hardship to the plaintiff.

18. The officer made matters worse by issuing racial insults to the plaintiff to trying to get the plaintiff to sign documents.

19. The officer violated the plaintiff's rights of due process which has further injured the plaintiff.

20. On or about September 16th, the plaintiff was released into the custody of KING COUNTY ADULT DETENTION FACILITY hereinafter 'facility'.

21. The facility, has unlawfully imprisoned the plaintiff (Exhibit C).

22. The facility did not have the plaintiff's consent for this unlawful imprisonment.

23. The facility humiliated the plaintiff by forcing the plaintiff to strip off his clothes to put on jailed issued clothes.

24. The facility further humiliated the plaintiff by processing the plaintiff 'booking', as a common criminal for acts the plaintiff has not done.

25. The facility has without the plaintiff's consent, and against the plaintiff's will take plaintiff's photos and his finger prints.

26. The facility's nurse was made aware of plaintiff's medical condition of having sleep apnea (exhibit D). The facility by law has a responsibility to issue the plaintiff the required items or at least try to accommodate the inmate's medical conditions to the best of their ability. The facility did not have a Continuous Positive Airway Pressure hereinafter 'CPAP' on the premises. Despite this, the facility could have released the plaintiff due to the lack of medical equipment on the premises, however it decided not to. The nurse informed the plaintiff he would be issued a wedge (a wedge shaped pillow that will prop the head of an individual during sleep who suffers from sleep apnea). When the plaintiff was sent to the medical unit, he was NOT given a wedge, and had to suffer in agony all night due to the negligence and malice of the facility.

27. The facility has placed the plaintiff's health in jeopardy for not issuing the plaintiff a wedge for his medical condition.

28. Later that afternoon, on September 16, 2011 the plaintiff was released and posted bail \$500.00 dollars (exhibit E).

29. On or about November 16th, 2011 the Department of Licensing revoked plaintiff's license without due process of law (exhibit F).

30. On and about December 27th, 2011 the KING COUNTY PROSECUTING attorneys' OFFICE hereinafter 'prosecutor' has knowingly conspired to perpetrate fraud

on the plaintiff.

31. The prosecutor namely knowingly LAKEYSHA NICOLE WASHINGTON signed and filed a fraudulent suit against the plaintiff (exhibit G).

32. The prosecutor(s) being professionals and proficient in law, knowingly fraudulently filed said instrument bringing further injury and humiliation to the plaintiff, on charges it knows, or should have known that it does not apply to the plaintiff nor could it proved.

33. The prosecutor(s) being professionals and proficient in law knows and should have known the officer has violated the plaintiff's rights to due process, and should have never filed the case against the plaintiff.

34. The prosecutor(s) knowingly and wantonly with malice signed and filed said fraudulent instrument, knowing and or should have known its own office has violated the plaintiff's rights of due process and should have withdrawn its charges.

35. On and about January 9th, 2012 KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE and its actors under the color of law has knowingly with malicious and negligence signed and issued an order(s) of probable cause (Exhibit I), knowingly and or should have known that the plaintiff's rights of due process has been violated by both OFFICER ANTHONY BROCK and by LAKEYSHA NICOLE WASHINGTON.

36. KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE hereinafter 'court' and its actors under the color of law has with the knowledge of the violations of the plaintiff's due process rights has signed and issued defective instruments ie; summons for the plaintiff to appear in court (exhibit J).

37. On and about January 30th, 2012 the court and its actors under the color of law have knowingly with malicious and negligence signed and issued a defective 'bench' warrant (exhibit K) for the plaintiff's arrests.

38. The court knows and or should have known the plaintiff's rights of due process have been violated by both OFFICER ANTHONY BROCK and the PROSECUTING ATTORNEYS OFFICE and the case should have been dismissed.

39. The court under the color of law has perpetrated fraud upon the plaintiff in hopes to coerce the plaintiff through the use terror (imprisonment), a steep fine, intimation and deception to contract with the plaintiff through the use of statutes and or rules that does not apply to the plaintiff in this instant matter.

CAUSES OF ACTION

FIRST CLAIM FOR RELIEF CIVIL RIGHTS VIOLATION UNDER 42 USC, SECTION 1983

40. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs 1 - 15 as though fully stated herein.

41. That at all times relevant hereto, the defendants acted willfully and wantonly and with deliberate indifference to the rights and feelings to the plaintiff.

42. The Plaintiff's unlawful stop, detention, investigated, seizure of property, imprisonment and prosecution were done without probable cause, without proper jurisdiction and justification. All acts done by State and County agents are in violation of the plaintiff's rights under the United States and Washington State Constitutions.

43. The defendants' actions constitutes a willful, wantonly and knowingly with malice violation and deprivation of rights secured by the Constitution of the United States in violation of 42 USC, Section 1983, specially, the right to be free from excessive and unreasonable police action; the deprivation of liberty without due process of law; deprivation of property

without due process of law; the right to be secure against unreasonable searches and seizures, and the right to equal protection of the law.

44. That the acts of all defendants are in violation of the United State Constitution rights of the plaintiff justify an award of damages pursuant to 42 USC, Section 1983; and reasonable attorney fees under 42 USC, Section 1988. The plaintiff is entitled to recover against all defendants for injuries, damages and losses proximately caused by their conduct as set forth in this complaint.

WHEREFORE, The Plaintiff respectfully request this Court

- a. Enter an order of judgment in favor of the plaintiff against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions, omissions and negligence;
- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees,
- d. Enter an Order the reinstate plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**SECOND CLAIM FOR RELIEF
UNLAWFUL CUSTODIAL ARREST**

45. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs 1 - 15 as though fully stated herein.

46. That at all times relevant hereto, the officer acted willfully and wantonly and with deliberate indifference to the rights and feelings to the plaintiff.

47. The plaintiff was not intoxicated upon the unlawful detention by STATE PATROL OFFICE ANTHONY BROCK.

47. The OFFICER ANTHONY BROCK hereinafter 'officer' unlawfully detained the plaintiff without probable cause.

48. The officer knowingly with malice and negligence misapplied 'charged' the statue to the plaintiff.

50. That the officer without a warrant and or probable cause went beyond his authority to take the plaintiff into custody.

51. The officer without a warrant unlawfully took into custody the plaintiff for exercising his Fifth Amendment rights, nothing more. The breath test was the excuse the officer concocted to punish the plaintiff for knowing and utilizing his rights under LAW.

52. The officer unlawful conduct was motivated strictly by racial prejudice; the plaintiff was 'driving while black'.

53. The officer unlawful conduct has injured and harmed the plaintiff, a tax payer and an upstanding Citizen.

54. The officer conducted a custodial arrested of the plaintiff against his will.

55. The officer needlessly subjugated the plaintiff to further cause humiliation, and embarrassment as well as physical injury by placing the plaintiff into handcuffs.

WHEREFORE, the plaintiff respectfully request this Court

a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, pain and suffering, damages and losses;

b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert

witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

d. Enter an Order the reinstate plaintiff's license.

e. Such other and further relief as this Court may deem just and proper.

**THIRD CLAIM FOR RELIEF
UNLAWFUL IMPRISONMENT**

56. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs 1 - 15 forward as though fully stated herein.

57. The foregoing omissions of the defendant(s) constitute numerous and multiple violations of the plaintiff's rights as afforded to him under the Federal and State Constitutions.

58. The defendant(s) unlawful OFFICER ANTHONY BROCK and KING COUNTY ADULT DETENTION FACILITY imprisonment was against the plaintiff will.

59. The officer did not have the right to deprive the plaintiff right of due process before being imprisoned.

60. The officer over stepped his authority in taking the plaintiff into custody, and stuffing the plaintiff into the back of his patrol car.

61. Damages of \$85.00 dollars paid to the bails bond All City, incurred by the plaintiff by the action of the defendant(s).

WHEREFORE, The Plaintiff respectfully request that this Court

a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages and losses;

b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

- d. Enter an Order reinstate Plaintiff's license.
- e. Plaintiff respectfully demands the files generated by the KING COUNTY ADULT DETENTION FACILITY in this case of his unlawful incarceration destroyed (from the booking process), stricken from the record and thereof.
- f. Such other and further relief as this Court may deem just and proper.

**FORTH CLAIM FOR RELIEF
UNLAWFUL SEARCH AND SEIZURE**

62. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs 1-15 forward as though fully stated herein.

63. The foregoing omissions of the Defendant(s) constitute numerous and multiple violations of the plaintiff's rights as afforded to him under the Constitution.

64. The Defendant Trooper Brock unlawfully searched and ransacked the plaintiff's (property) automobile.

65. The officer spilled out the contents of the plaintiff's automobile, sensitive information onto the passenger's side floor without regards to plaintiff's property, privacy or security.

66. The officer had the plaintiff's property unlawfully seized without probable cause and or warrant.

67. The plaintiff's license unlawfully seized and invalidated by the officer, causing additional hardship on the plaintiff without probable cause and or warrant.

WHEREFORE, the plaintiff respectfully request that this Court

- a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order to reinstate plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**FIFTH CLAIM FOR RELIEF
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

68. The Plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs fully stated herein 1- 15.

69. The defendants, by their actions as set forth above, were negligent and acted with negligence.

70. By the action of the defendants' negligence created an unreasonable risk of physical harm to the plaintiff and caused the plaintiff to be put in fear of his own safety, which is shown to be emotional disturbance.

71. The humiliation of having been booked and photograph, and said photograph being available for public consumption.

72. The announcement on the public King County web site, the prosecuting attorney's page, plaintiff being accused and arraigned for DUI.

73. The damages to the plaintiff's reputation and credibility.

74. Future damages caused by the officer unlawful actions to plaintiff's reputation such as background checks, filling out applications when it comes certain types of questions such has criminally charged, etc.

75. The damage done by the officer's actions, in regard to the DEPARTMENT OF LICENSING, plaintiff's license has been revoked, thus causing an unnecessary hardship to travel for daily necessities.

76. Future damages cause by the harmful effects to the plaintiff's credibility and reputation.

WHEREFORE, The plaintiff respectfully request that this Court

- a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order for injunction of the current case, and reinstate plaintiff's license.
- e. The defendants' actions have directly and proximately caused, by way of their negligent inflict emotional distress upon the plaintiff, injuries, damages and losses set forth herein; and, the plaintiff is entitled to recover against the defendants for damages caused by their conduct as set forth in this complaint.
- f. Such other and further relief as this Court may deem just and proper.

**SIXTH CLAIM FOR RELIEF
NEGLIGENCE**

77. The plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs fully stated herein 1 -15.

78. The above referenced acts and omissions for the defendants were negligent.

79. The defendants are public servant and trustees. They are required to be proficient and professionals at their job at all times when interfacing with the public. In so doing the public trust them to carry out their responsibilities according to law and in a professional matter, this is not

the case. Their actions have intentionally and with negligence caused the plaintiff unnecessary harm.

80. The negligent acts and omissions were a direct and proximate cause of the injuries, damages and losses to the Plaintiff, and, the Plaintiff is entitled to recover against the defendants for damages caused by their negligence as set forth in this complaint.

81. The defendant's employed at the KING COUNTY ADULT DETENTION FACILITY actions have placed the plaintiff health in jeopardy needlessly.

82. The OFFICER ANTHONY BROCK has over stepped his authority when he took the plaintiff into custody, placing the plaintiff in harm's way.

83. The KING COUNTY PROSECUTING ATTORNEY'S OFFICE knew the plaintiff's rights of due process have been violated and they still proceeded into charging the plaintiff with a fictitious crime.

WHEREFORE, The plaintiff respectfully request that this Court

a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, damages and losses;

b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

d. Enter an Order to reinstate Plaintiff's license.

e. Such other and further relief as this Court may deem just and proper.

**SEVENTH CLAIM FOR RELEIF
OUTRAGEOUS CONDUCT**

84. The plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs 1-15 fully stated herein.

85. That the defendants' actions as set forth herein, were outrageous, intolerable and so extreme as to exceed all bounds of decency which prevail in civilized communities and societies.

86. That the defendants, by their actions as set forth herein, unjustly intended to inflict irreparable damages to the plaintiff's reputation, good name, honor, integrity and respect in the community and in professional circles.

87. That as a direct and proximate result of the defendants' outrageous conduct, as set forth herein, the plaintiff has suffered loss of his reputation, good name, honor, integrity, and respect in the community and in professional circles.

88. The defendants have with negligence and malice caused the injuries, hardships, damages and losses to the plaintiff by their outrageous conduct and lack of professionalism; and, the plaintiff is entitled to recover against the defendants for injuries, damages, hardships and losses set forth herein.

WHEREFORE, The plaintiff respectfully request that this Court

- a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert

witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

d. Enter an Order for injunction of the current case, and reinstate plaintiff's license.

e. Such other and further relief as this Court may deem just and proper.

**EIGHTH CLAIM FOR RELIEF
NEGLIGENT SUPERVISION**

90. The plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs 1-15 fully stated herein.

91. That the defendant, WASHINGTON STATE PATROL, is required to supervise the action of its troopers. Defendant ANTHONY BROCK is an employee of the defendant WASHINGTON STATE PATROL.

92. That the defendant, WASHINGTON STATE PATROL, created an unreasonable risk of harm to the plaintiff by failing to adequately supervise, control or otherwise monitor the activities of its employee, in this instant matter defendant OFFICER ANTHONY BROCK.

93. The defendant, WASHINGTON STATE PATROL, has caused damages by way of its negligent supervision; and the plaintiff is entitled to recover against the defendant, WASHINGTON STATE PATROL, for his injuries, damages, hardships and losses caused by defendant's WASHINGTON STATE PATROL's conduct as set forth herein.

94. That KING COUNTY is required to supervise the action of its employees. The employees at KING COUNTY ADULT DENTITION are employees of KING COUNTY.

95. That the defendant KING COUNTY ADULT DENTENTION has created an unreasonable risk of harm to the plaintiff by failing to adequately supervise, control, supply or otherwise monitor the activities of its employees.

96. The defendant, KING COUNTY, has caused damages by way of its negligent supervision and, the plaintiff is entitled to recover against the defendant,

KING COUNTY for his injuries, damages and losses caused by the defendant's conduct as set forth herein.

97. That KING COUNTY is required to supervise the action of its employees, DAN SATTERBURG, LAKEYSHA NICOLE WASHINGTON and any prosecuting attorney's employed with KING COUNTY PROSECUTING ATTORNEY'S OFFICE.

98. That the above defendant KING COUNTY has created an unreasonable risk of harm to the plaintiff by failing to adequately supervise, control, supply or otherwise monitor the activities of its employees.

99. The defendant, KING COUNTY, has caused damages by way of its negligent supervision and, in such the plaintiff is entitled to recover against the defendant, KING COUNTY for his injuries, damages, hardships and losses caused by the defendant's conduct as set forth herein.

100. That KING COUNTY is required to supervise the actions of its employees of KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE.

101. The defendant, KING COUNTY, has caused damage by way of its negligent supervision and, in such that plaintiff is entitled to recover against the defendant, KING COUNTY for his injuries, damages, hardships and losses caused by the defendant's conduct as set forth herein.

WHEREFORE, The plaintiff respectfully request that this Court

a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, damages and losses;

b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

- d. Enter an Order for injunction of the current case, and reinstate plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**NINTH CLAIM FOR RELIEF
NEGLIGENT TRAINING**

102. The plaintiff re-alleges and restates the above paragraphs 1- 15 the forgoing jurisdictional basis and the above paragraphs fully stated herein.

103. That the defendants, WASHINGTON STATE PATROL is required to adequately train its troopers Defendant ANTHONY BROCK, who is an employee of defendants, WASHINGTON STATE PATROL.

104. That the defendant, WASHINGTON STATE PATROL, created an unreasonable risk of harm to the plaintiff for failing to adequately train its employee(s) defendant ANTHONY BROCK. Specifically, the defendant, WASHIGNTON STATE PATROL, was negligent for failing to adequately train its employee regarding his duty activities.

105. That the defendant, WASHINGTON STATE PATROL, caused injuries, damages, hardships and losses to the plaintiff by virtue of its negligent training; and, the Plaintiff is entitled to recover against the defendant, WASHIGNTON STATE PATROL, for injuries, damages and losses caused by the defendant's conduct as set forth herein.

106. That the defendants, KING COUNTY is required to adequately train its jail staff of KING COUNTY ADULT DETENTION, who are employees of defendant KING COUNTY.

107. That the defendants, KING COUNTY, created an unreasonable risk of harm to the plaintiff for failing to adequately train its employees of KING COUNTY ADULT DENTENTION. Specifically, the defendants, KING COUNTY ADULT DETENTION were negligent for failing to adequately train its employees regarding their respective duties.

108. That the defendant, KING COUNTY ADULT DETENTION, caused injuries, damages and losses to the Plaintiff by virtue of its negligent training; and, the Plaintiff is entitled to recover against the defendant, KING COUNTY, for injuries, damages and losses caused by the defendant's conduct as set forth herein.

109. That the defendants, KING COUNTY is required to adequately train its prosecuting attorneys of KING COUNTY PROSECUTING ATTORNEYS OFFICE, who are employees of defendant KING COUNTY.

110. That the defendants, KING COUNTY, created an unreasonable risk of harm to the plaintiff for failing to adequately train its employees of KING COUNTY PROSECUTING ATTORNEYS OFFICE. Specifically, the defendants, of KING COUNTY PROSECUTING ATTORNEYS OFFICE were negligent for failing to adequately train its employees regarding their respective duties.

111. That the defendant of KING COUNTY PROSECUTING ATTORNEYS OFFICE, caused injuries, damages and losses to the plaintiff by virtue of its negligent training; and, the plaintiff is entitled to recover against the defendant, KING COUNTY, for injuries, damages and losses caused by the defendant's conduct as set forth herein.

112. The court clerks failed to add plaintiff's documents for his defense into the court record.

113. That the defendants, KING COUNTY is required to adequately train its employees of KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE, who are employees of the defendant KING COUNTY.

114. That the defendants, KING COUNTY, created an unreasonable risk of harm to the plaintiff for failing to adequately train its employees of KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE. Specifically, the defendants, of KING COUNTY were negligent for failing to adequately train its employees regarding their respective duties.

115. That the defendant of KING COUNTY DISTRICT COURT EASTERN DIVISION REDMOND COURTHOUSE, caused injuries, damages, hardships and losses to the plaintiff by virtue of its negligent training; and, the plaintiff is entitled to recover against the defendant, KING COUNTY, for injuries, damages and losses caused by the defendant's conduct as set forth herein.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order to reinstate plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**TENTH CLAIM FOR RELEIF
MALICIOUS AND WRONGFUL PROSECUTION**

116. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs though fully stated 1-15 herein.

117. The action brought by KING COUNTY against the plaintiff, which the officer did not have probable cause.

118. The defendants of KING COUNTY PROSECUTING ATTORNEYS OFFICE are professionals, and know or should have known the officer has erred in this instant matter. It is their collective duties as trustees of the public having a responsibility to correct or at least attempt to correct that error as it is per their job description.

119. The defendants of KING COUNTY PROSECUTING ATTORNEYS OFFICE despite their professionalism and their oath of office taken to uphold the laws of this state and country knowingly did not have any evidence in which to charge the plaintiff in this instant matter.

120. Without such evidence the prosecutor need it was the hope through utilizing against the plaintiff terror and fear, of losing money and or liberty, that the defendants could coerce the plaintiff into pleading guilty to fictitious charges.

121. The PROSECUTING ATTORNEYS OFFICE known or should have known it has violated the plaintiff's rights to due process. And upon that knowledge alone should either rectified the violation and or not move against the plaintiff.

122. The negligence issued by KING COUNTY was motivated by malice, racial discrimination or other improper purposes against the Plaintiff.

123. That the complaint filed against the Plaintiff appeared to be signed (although not legible) by another attorney with the WSBA #42933 who happened to be LAKEYSHA NICOLE WASHINGTON, was filed in violation of plaintiff's due process rights.

124. That the defendants have caused injuries, damages, hardships and losses to the plaintiff by way of their negligence and malicious prosecution.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order for injunction of a fraudulent case that was issued without probable cause.
- d. Enter an Order of Judgment in Plaintiff's favor and against the defendants

for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

e. Such other and further relief as this court may deem just and proper.

**ELEVENTH CLAIM FOR RELIEF
EXEMPLARY DAMAGES**

125. Plaintiff re-alleges and restates the foregoing jurisdictional basis and the above paragraphs 1-15 though fully stated herein.

126. That the aforementioned acts, omissions and violations of the defendants were attended by wanton and willful disregard for the rights, medical needs, and feelings of the plaintiff, thus entitling the plaintiff to the recovery of exemplary damages.

WHEREFORE, The plaintiff respectfully request that this Court

a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the plaintiff for his injuries, damages and losses;

b. Enter an Order of Judgment in favor of the plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;

c. Enter an Order of Judgment in plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.

d. Enter an Order to reinstate plaintiff's license.

e. Such other and further relief as this Court may deem just and proper.

**TWELFTH CLAIM FOR RELIEF
LARCENY BY TRICK**

127. Plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs 1-15 though fully stated herein.

128. The OFFICER BROCK ANTHONY has taken an oath to uphold the both Federal and State constitutions and yet has violated the plaintiff's constitutional rights. OFFICER BROCK ANTHONY has taken into custodial arrest and seized the property of the plaintiff for his simply because the plaintiff invoked his Fifth Amendment right. Furthermore OFFICER BROCK ANTHONY has fabricated false testimony against the plaintiff.

129. The LAKEYSHA NICOLE WASHINGTON, and prosecuting attorneys at KING COUNTY PROSECUTING ATTORNEYS have all taken an oath to uphold both Federal and State Constitutions. The prosecutors the knowledge of the plaintiff's due process violations still charged the plaintiff without merits.

130. That the aforementioned acts, omissions and violations of the defendants were attended by wanton and willful disregard for the rights, and feelings of the plaintiff, thus entitling the plaintiff to the recovery of damages.

131. Prosecuting office has knowingly with malice brought charges against the plaintiff knowing his due process rights have been violated by that office (Exhibit L).

132. The officer knowingly and willfully fabricated his statement against the plaintiff to justify his unlawful custodial arrest of the plaintiff.

134. The officer knowingly and willfully unlawfully took the plaintiff into custodial arrest without due cause.

135. The officer knowingly, willfully, with malicious intent under false pretense applied the wrong statutes against the plaintiff.

136. The officer knowingly and willfully under false pretense searched and seized the plaintiff's property.

137. The officer knowingly and willfully violated the plaintiff's right to due process.

138. The officer knowingly and willfully failed to discharge his duty under the law.

139. The officer knowingly and willfully drafted up a falsified affidavit and or statement as to plaintiff's condition (Exhibit M).

140. On or about September 27th, 2011 the officer knowingly and willfully hand said falsified affidavit and or statement to the Prosecuting Attorney's Office.

141. The officer false allegations have cause perpetual and ongoing damages to the plaintiff.

142. Defendants LAKEYSHA NICOLE WASHINGTON hereinafter 'prosecutor' are prosecuting attorneys for the KING COUNTY.

143. On or about December 27th, 2011 the prosecutor(s) has filed action against the plaintiff for violation of Washington Revise Code that the plaintiff is not a party to.

144. The prosecutor(s) knowingly and willfully with malice violated plaintiff's due process.

145. The prosecutor has with malice knowingly, willfully brought false criminal charges against the plaintiff.

146. The plaintiff strongly believes the prosecutor(s) in concert with KING COUNTY DISTRICT COURT EASTERN DIVISION - REDMOND COURTHOUSE through, terror, and coercion tried to manipulate the plaintiff to contract and or consent to with it.

147. The prosecutor(s) knowingly and willfully violated plaintiff's due process right of speedy trial without.

148. The prosecutor(s) fabricated criminal charges against the plaintiff are an act of harassment and mental aggravation.

149. That the aforementioned acts, omissions, fabrications and violations of the defendant(s) were attended by wanton and willful disregard for the rights, needs and feelings of the plaintiff, thus entitling the plaintiff to the recovery of damages.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages, hardships and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order for injunction of the current case, and reinstate Plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**THIRTEEN CLAIM FOR RELIEF
CRUEL AND UNSUAL PUNISHMENT**

150. The Plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs fully stated herein 1- 15.

151. Defendant OFFICER ANTHONY BROCK has unlawfully taken the plaintiff into custodial arrest. The cuffs on the plaintiff were unnecessarily tightened and the plaintiff's wrist were purposely not seating in the cuffs causing further pain and suffering.

152. Defendant OFFICE ANOTHER BROCKK has unlawfully imprisoned the plaintiff in the back of his patrol car too small for an adult, coupled with being handcuffed was placed in a contorted position and suffered needlessly.

153. Defendant KING COUNTY ADULT DENTENTION FACILITY has unlawfully imprisoned the plaintiff and purposely placed the plaintiff in the medical cell, without providing him the necessary equipment for his condition. The plaintiff suffered needlessly as he continually awoke choking and gasping for air.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages, hardships and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order for injunction of the current case, and reinstate Plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

**FOURTEEN CLAIM FOR RELIEF
DEFAMATION AND SLANDER**

154. The Plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs fully stated herein 1- 15.

155. The defendant OFFICER ANTHONY BROCK knowingly and wantonly defamed the plaintiff by his fictitious charge, and falsified testimony of the plaintiff's being under the influence of while operating a vehicle.

156. It is that falsified testimony through defamation which has brought further injury and harm to the plaintiff through unlawful imprisonment, photographed and finger printed, wrongful prosecution, summons and warrant

issued out to the plaintiff for a crime that never occurred or an act the plaintiff never committed.

157. That the plaintiff suffered tremendous stress, depression and anxiety (see above) due to the unlawful and illegal actions of OFFICE ANTHONY BROCK.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages, hardships and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order for injunction of the current case, and reinstate Plaintiff's license.
- e. Have the defendant remove ALL material pertaining to this matter, from the websites, court calendar etc.
- f. Such other and further relief as this Court may deem just and proper.

**FIFTHTEEN CLAIM FOR RELIEF
LIBEL**

158. The Plaintiff re-alleges and restates the forgoing jurisdictional basis and the above paragraphs fully stated herein 1- 15.

159. OFFICER ANTHONY BROCK has issued racial remarks concerning the plaintiff's education and or lack of education during plaintiff's interrogation.

160. The plaintiff suffered from libel damages caused by the OFFICER ANTHONY BROCK falsified testimony, filed with the prosecuting attorneys' office some eleven days later. The officer act has led the wrongful prosecution of an innocent man, by prosecutors.

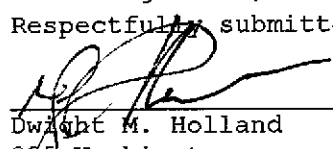
161. The plaintiff suffered from libel damages of public humiliation from the KING COUNTY JAIL REGISTER AND BOOKING SYSTEM. Where the plaintiff's name 'DWIGHT HOLLAND' (Exhibit N) is there for the entire world to witness that the plaintiff was jailed and booked for a fictitious crime. Where additional libel damages occur from prospective job hunting, employers has the ability to look up the plaintiff's name during a background search, and hamper's the plaintiff's ability to seek other employment if he so wishes to.

162. The KING COUNTY PROSECUTING ATTORNEY'S OFFICE posted on their website, who is being prosecuted and what for. This information is faulty, and if the prosecuting office has done their job, and follow not only the court rules, but the law, the plaintiff name would not been posted.

WHEREFORE, The Plaintiff respectfully request that this Court

- a. Enter an order of judgment in Plaintiff's favor against the defendants for compensatory damages in an amount sufficient to fully compensate the Plaintiff for his injuries, damages, hardships and losses;
- b. Enter an Order of Judgment in favor of the Plaintiff and against the defendants for exemplary damages in an amount which will adequately punish the defendants for their actions and omissions;
- c. Enter an Order of Judgment in Plaintiff's favor and against the defendants for attorney fees as a result of their violation of Plaintiff's civil rights under 42 USC, Sections 1983 and 1988, including costs of this lawsuit, expert witnesses fees, witness fees, deposition costs and such other and further relief as the Court may deem just and proper.
- d. Enter an Order for injunction of the current case, and reinstate Plaintiff's license.
- e. Such other and further relief as this Court may deem just and proper.

Dated August 22, 2012
Respectfully submitted


Dwight M. Holland
325 Washington
Avenue South
Kent, Washington

Exhibits

WASHINGTON STATE PATROL
(SMD) AFFIDAVIT
1Z05[REDACTED]

Exhibit A

I observed the defendant **approaching** my location. I visually observed the defendants vehicle traveling at what I visually estimated to be above the posted **45 MPH** speed limit. I have been trained to estimate vehicle speed at the Washington State Patrol Academy. My visual observation was verified and confirmed by a reading(s) of **58 MPH** on the defendant vehicle in the stationery mode with the rear antenna of my assigned BEE III RADAR SMD # R-2433. The speed obtained with this SMD was consistent with my visual estimation of the defendants vehicle prior to obtaining the speed with the SMD. I observed a high audible tone which was consistent with the vehicle speed. SMD # R-2433 has been certified for accuracy by a factory trained WSP technician and found to be in proper working order. On the day the above speed was obtained prior to and after this stop, I checked this RADAR SMD for accuracy by use of its assigned tuning forks on both the front and rear antenna which was found to be accurate. I have successfully completed a four-hour training session in the use and operation of the RADAR SMD devices. The above mentioned RADAR SMD can be used in a moving or stationary/fixed position and was used in the stationery mode for the above check. The above mentioned vehicle was the only vehicle and the vehicle which speed was consistent with both my visual estimation and the reading of the SMD. The RADAR SMD also displayed my vehicle speed at the same time the defendants vehicle speed is obtained. The reading on the SMD of my speed was the same as the reading on my speedometer. My speedometer is checked at the start of my shift at 30 and 60mph with the above SMD and was found to be accurate. I visually observed the vehicle from the time I visually estimated the vehicles speed, while I obtained the speed with the SMD to the time I stopped the vehicle. At no time did I lose sight of the vehicle.

CUSTOMER INVOICE

GARYS WESTSIDE TOWING LLC

INVOICE NUMBER ~~XXXX~~

PRINT DATE September 16, 2011

PO Number .

DWIGHT M HOLLAND

~~3200 WASHINGTON AVE S~~~~KENT WA 98002-5502~~**TOW INFORMATION**

IMPOUND START 9/16/2011 1:40:00AM

OFFICER NAME .

BADGE # 716

IMPOUND END 9/16/2011 2:15:00AM

INCIDENT # .

INFRACTION # 170501814

IMPOUND LOC S/B 509 @ 1ST AVE BRIDGE
IMPOUND STREET ADDRESSAGENCY CODE WASHINGTON STATE PATROL
REASON FOR IMPOUNDSEATTLE WA
DRIVER CODE GE
TRUCK # 1 STORAGE LOT 1**VEHICLE INFORMATION**VIN ID# ~~XXXXXXXXXX~~LICENSE PLATE NUMBER ~~XXXXXX~~

MAKE DODG

STATE WA YEAR . TYPE .

MODEL DAKOTA

YEAR 2006

DRIVER LICENSE NUMBER .

BODY 2 DR CLUB CAB

DRIVER LICENSE STATE .

FINANCIAL INFORMATION

CHARGE DESCRIPTION	BASE	QTY	CHARGE	TAX RATE	TAX	TOTAL
Towing Charges	\$ 177.00	1.00	\$ 177.00	9.50 %	\$ 16.82	\$ 193.82
Mileage Charges - Pickup Distance and Rate	\$ -	0.00	\$ -	9.50 %	\$ -	\$ -
Mileage Charges - Drop Distance and Rate	\$ -	0.00	\$ -	9.50 %	\$ -	\$ -
Total Towing Charges:			\$ 177.00		16.82	\$ 193.82
Storage Charges	\$ 45.00	1.00	\$ 45.00	9.50 %	\$ 4.28	\$ 49.28
Total Storage Charges:			\$ 45.00		\$ 4.28	\$ 49.28

%

Total Misc Charges

Grand Total for All Charges:

\$ 243.10

PAYMENT DATE

Friday, September 16, 2011

Total Payments:

Grand Total for All Payments:

BASE PAID	TAX PAID	TOTAL PAID
\$ 222.00	\$ 21.09	\$ 243.09
\$ 222.00	\$ 21.09	\$ 243.09
		\$ 243.09
		\$ 0.01

BALANCE DUE:

**12 HOUR HOLD DO NOT RELEASE UNTIL 2 PM ON 9/16/11

KING COUNTY DEPARTMENT OF ADULT DETENTION

Case 2:12-cv-00791-JLR Document 7 Filed 08/27/12 Page 32 of 47

INMATE PROPERTY

I-1211048

FORM

NAME (LAST, FIRST, M.I.)

B / A #

Exhibit C

DATE	SEX	RACE	D.O.B.	BIN	BAG	SEALED VALUABLE #	TRANSFER DATE	INITIAL
	M	D			105			

Cash Received At Booking: \$

354.00

Booking Off. #

ITEM	QTY.	DESCRIPTION	VER.	ITEM	QTY.	DESCRIPTION	VER.
CHECKS / M.O.S.				HAT / CAP			
VALUABLE CURR. / COIN				SHIRT / BLOUSE		Blue	
CHECK / SAVINGS BOOK				SWEATER / SWEATSHIRT			
CASHIER / TRAV CKS.				T-SHIRT / KNIT SHIRT			
FOREIGN CURR. / COIN				SHOES / BOOTS	2	Black	
FOOD STAMPS				TENNIS SHOES / OTHER			
MEDICAL COUPONS				PANTS / SLACKS / JEANS	1	Blue	
POSTAGE STAMPS				JEANS / OTHER	1	Black	
MAJOR CC		VISA		DRESS / JUMPER			
		MASTER CHG.		SKIRT / CULOTTES			
WALLET	1	clp		SUIT		2 PC.	
PURSE / HANDBAG				SUIT		3 PC.	
PASSPORT				TIE / SCARF			
ID		WA		COVERALLS / OVERALLS			
				WARM-UPS			
PENS / PENCILS				COAT / JACKET			
KEYS				OVERCOAT / RAINCOAT			
LIGHTER				VEST / BOLERO			
WATCH		Y / M W / M OTHER		SHORTS / SWIMWEAR			
NECKLACE		Y / M		BELT / SASH			
		W / M		SUSPENDERS			
		OTHER		GLOVES / MITTENS			
BRACELET		Y / M		BRIEF / ATTACHE CASE			
		W / M		BOXES			
		OTHER		SACKS			
EARRINGS		Y / M		PAPERS			
		W / M		BOOKS			
		OTHER		MISC.			
RINGS		Y / M					
		W / M					
		OTHER					
GLASSES		CLEAR DARK					
MEDICATION							
KEYS							
KNIFE				PROPERTY IN EVIDENCE		YES NO	
				AGENCY			

I RECEIVED MY ORIENTATION HANDBOOK

AT BOOKING: THIS IS AN ACCURATE RECORD OF MY PROPERTY:

X

(INMATE'S SIGNATURE)

AT RELEASE: I ACKNOWLEDGE RECEIPT OF MY PROPERTY:

X

(INMATE'S SIGNATURE)

CLAIM MISSING ITEMS:

X

X

(BOOKING OFFICER'S SIGNATURE)

X

(WITNESS)

X

(PROPERTY OFFICER)

X

(WITNESS)

DATE

TIME

Order # 866-553
73 6616

Exhibit D
08/14/08

PERFORMANCE HOME MEDICAL CS
62ND AVE S #A101
KENT, WA 98032

ACCT # ~~XXXXXXXXXX~~
INS: 6507 AETNA

CERTIFICATE OF MEDICAL NECESSITY

SEQ # ~~00000~~
CMN # 4

Health Insurance Require the following information be provided on claims for durable medical equipment. This form should be completed by the beneficiary's physician and returned to us IMMEDIATELY.

CUSTOMER PHONE=> ~~XXXXXXXXXX~~

Patient's Name HOLLAND, DWIGHT

LOC # 03

Health Insurance Claim No. ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

KENT

WA 98032

Date this Equipment Prescribed

09/08/08

Equipment will be needed for

12

months.

This Prescription applies to rental period from

09/08/08

to

09/07/09

Prognosis

GOOD

780.53 HYPERSOMNI W SLEEP APNEA

Diagnosis

The following equipment is needed by the above stated patient:

DR. : PLEASE INDICATE ANY CHANGE IN DURATION OF ORDER
CPAP SUPPLIES

53ZZZ001

Supplies for home use with CPAP/BiPAP equipment.

Nasal Mask 1 per 3 months

Nasal Pillows 2 per mo

Full Face Mask 1 per 3 mo

Headgear 1 per 6 mo

Oral/Nasal Mask 1 per 3 mo

Chinstrap 1 per 6 mo

Nasal Cushion 2 per mo

Tubing 1 per 6 mo

Full Face Cushion 1 per mo

Filter, disposable 2 per mo

Oral/Nasal Cushion 2 per mo

Filter, non-disposable 1 per mo

Oral/Nasal pillows 2 per mo

Water Chamber 1 per 6 mo

Replacements as needed or as insurance permits for a period of
1 year.

This form must be SIGNED & DATED by the prescribing Physician
before the equipment may be considered for payment.

PHYSICIAN'S NAME, ADDRESS & PHONE:

VISHESH KAPUR MD
HARBORVIEW SLEEP CENTER
325 9TH AVE BX 359803
SEATTLE WA 98104

UPIN # ~~XXXXXXXXXX~~

Physician's Signature:

V. Kapur

Date

8/19/08

Physician's signature certifies that the above represents
his judgement of the patient's need for the equipment.

White - Supplier Copy Yellow - Physician/Clinician Copy

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

10/1/12

Exhibit B-1

HOLLAND, DWIGHT MICHAEL
Sleep Study Report Authenticated
Service Date: May-23-2005
Dictated by Kapur, MD, Vishesh K on Jun-10-2005

12137

TEST TYPE:

Polysomnography with CPAP titration/split night protocol.

MONTAGE:

EEG (C3/A2, C4/A1, O1/A2, O2/A1), EOG (ROC/A1, LOC/A2), EMG (submental and mental, snoring (microphone), nasal and oral airflow (pressure transducer), chest and abdominal respiratory effort, oximetry, EKG, limb EMG (RAT, LAT), and body position.

PATIENT IDENTIFICATION AND INDICATIONS:

This is a 43-year-old man who has a history of obstructive sleep apnea with an apnea-hypopnea index and low saturation of 84%. He had undergone uvulopalatopharyngoplasty and nasal procedure and lost 30 pounds and subsequently had stopped using his CPAP. More recently, his excessive daytime somnolence has returned and he has gained weight. This study is carried out to reevaluate degree of sleep disordered breathing and re-titrate CPAP.

SLEEP ARCHITECTURE AND EEG:

The total sleep time was 415 minutes. The sleep efficiency was excellent at 95%. The sleep latency was short at 3 minutes. The REM latency was prolonged at 94 minutes.

There was an increased amount of stage I sleep (19%). There was no slow-wave sleep and a generous amount of REM sleep (23%). The arousal index during the diagnostic portion of the study, which included 137 minutes of recording time was 80 with most arousals attributable to apneas or hypopneas. After the application of CPAP, the arousal index was 15.

RESPIRATORY:

The diagnostic portion of the study showed an apnea-hypopnea index of 97, consisting of 24 apneas and 183 hypopneas. Respiratory events were frequently associated with desaturations with a desaturation index of 78 and a low saturation of 69%. 36% of sleep time was spent with saturation below 90%. The mean saturation was 92%.

After the application of CPAP, the apnea-hypopnea index was 20, the mean saturation was 97%, lowest saturation was 80%, the desaturation index was 16 with 5% of posttreatment spent with saturation below 90%. CPAP was titrated from pressure of 5 to 13 cm. At a pressure of 9 cm, while in supine non-REM sleep, hypopneas with desaturations below 90% were noted. At 11 cm, the patient was noted to do reasonably well in supine REM sleep without any significant desaturations. The pressure was then increased to 13 cm. For unclear reasons, the patient did reasonably well in non-REM sleep on the left side at this pressure; while supine, some intermittent flow limitation and snoring was noted, but later the patient appeared to do very well in the supine position at 13 cm in non-REM sleep.

LIMB MOVEMENTS:

The periodic limb movement index was within normal limits.

EKG:

The EKG showed a normal sinus rhythm at a rate of 78 beats per minute.

SUBJECTIVE:

The patient reported that his sleep was much better than usual.

B-1

INTERPRETATION:

Obstructive sleep apnea that is severe in frequency and which is associated with a severe frequency of desaturations low saturation of 69% and significant percentage of time spent with saturation below 90%. Sleep is severely disrupted.

The titration portion of this study indicates that CPAP pressures of 11 to 13 cm will be sufficient to control sleep disordered breathing in supine position.

RECOMMENDATIONS:

The patient will return to clinic for follow-up. He is currently on CPAP of 15 cm. These pressures can be decreased these pressures are uncomfortable.

Signature Line

Electronically Reviewed/Signed On: 06/16/05 at 11:55

Vishesh K Kapur, MD

Attending Physician, HMC, Dept Of Pulmonary Medicine,
Pulmonary and Critical Care Division, Box 359803
Seattle, WA

cc: Sarah R Simpson, MD
UWP-Shoreline
1355 N 205th St
Shoreline, WA 98133

Nicole C Maronian, MD
Attending, Dept Of Otolaryngology
Box 356515
Seattle, WA

VKK/KB
DD:06/10/05
TD:06/13/05

12137

CC Address Information
none

Exhibit E

All City
BAIL BONDS
 PROMISSORY NOTE

\$ 500.00 Defendant Dwight M. Holland Bond(s) ~~500.00~~
Seattle, Washington September 16, 2011

Dwight M. Holland after date, without grace, for value received, I promise to pay to All City Bail Bonds, or order, the sum of Five hundred Dollars and/or other valuable consideration, with interest thereon at the rate of 12 percent, per annum from date hereof, payable upon demand and/or forfeiture of bond.

Principal and interest payable to the office of All City Bail Bonds at 601 Sixth Avenue, Seattle, WA 98104. If any interest shall remain unpaid after due, this note shall become due and payable at once without further notice, at the option of the holder thereof.

This note shall bear interest at the rate of 12 percent, per annum after maturity or after failure to pay any interest payment, and if this note shall be placed in the hands of an attorney for collection or if suit shall be brought to collect any of the principal or interest of this note, I promise to pay a reasonable attorney's fee. Each maker of this note executes the same as a principle and not as a surety.

X [Signature]

X _____

THE FOLLOWING ARE THE DEFENDANT'S CONDITIONS OF HIS/HER BAIL BOND WHICH MUST BE COMPLIED WITH AT ALL TIMES

1. All City Bail Bonds (Surety) shall have control and jurisdiction over Defendant during the term for which the Bond is executed and shall have the right to apprehend, arrest and surrender the defendant to the proper officials at any time provided by law.
2. It is understood and agreed that the happening of any one of the following events shall constitute a breach of Defendant's obligations to Surety:
 - (a) If Defendant shall depart the jurisdiction of the court without written consent of the court and Surety.
 - (b) If Defendant shall move from one address to another or change phone numbers without notifying Surety prior to said move.
 - (c) If Defendant shall commit an act which shall constitute reasonable evidence of Defendant's intention to cause a forfeiture of said bond.
 - (d) If Defendant is arrested and incarcerated for any offense other than a minor traffic violation.
 - (e) If Defendant shall have made any false statement in application.
 - (f) Defendant shall be responsible for obtaining proper appearance date from the court.
3. Defendant and/or Indemnitor shall have no right to any refund of premium whatsoever.
4. Any expenses incurred by All City Bail Bonds for your failure to comply with these terms will be paid by the Defendant and/or the Indemnitor.
5. If this case is under investigation you are required to appear to determine if charges will be filed against you. If you are charged, other collateral (in addition to the promissory note previously signed) will be required in order to transfer your bond to Superior Court.

() Initial

I hereby agree to all terms and conditions X [Signature]

Date: 9/16/11

X _____

All City
BAIL BONDS

Dear Valued Client,

Our records indicate that the bond posted has been exonerated. All City Bail Bonds wants to thank you and appreciates your business.

Enclosed you will find all of the documents necessary to release the collateral from this obligation.

If we can assist you in the future, please feel free to let us know.

Thank you

All City Bail Bonds

Office at 6th and James St. * 601 6th Avenue * Seattle, WA 98104 * Phone (206) 622-9999
Office * 607 Central Ave North * Kent, WA 98032 * Phone (253) 854-8888
Mailing * P.O. Box 24307 * Seattle, WA 98124 * Fax (206) 382-1783



Exhibit E

STATE OF WASHINGTON
DEPARTMENT OF LICENSING
PO Box 9030 • Olympia, Washington 98507-9030

09/30/2011

Notice of Revocation

CERTIFIED

3CRA
HOLLAND, DWIGHT MICHAEL
19613 138TH AVE SE
RENTON WA 98058-7743

Lic. # HOLLADM385C0

On 11/16/2011 at 12:01 a.m. we will revoke your driving privilege for 1 year for being in physical control or driving under the influence of alcohol or any drug. RCW 46.20.3101.

What do I have to do?

Any Washington driver license or permit, including occupational (ORL) or ignition interlock licenses (IIL), will not be valid and must be returned to Department of Licensing, PO Box 9030, Olympia, WA 98507-9030.

How do I get my license back?

If nothing else on your driving record prevents it, you will be eligible to get a license on 11/16/2012. To get one you must do all of the following:

- File proof of financial responsibility until 11/16/2015. An SR-22 is the most common method. RCW 46.29.450
- Pass all required tests, pay a reissue fee, and any other required licensing fees.

What other options are available?

You may be able to get an ORL, IIL, or other temporary restricted license during this revocation. You can also contest this action by submitting a Driver's Hearing Request form or written request along with \$200 (unless you provide proof of indigence), postmarked within 20 days from the date of your arrest. Failure to submit a complete and timely request will be considered a waiver of your right to a hearing. You'll find all the necessary forms on our website.

We suggest that you always check the status of your driving privilege before you drive. Find out more at www.dol.wa.gov or by calling Customer Service at 360-902-3900.

Driver Records

The Department of Licensing certifies that this document was mailed via U.S. post office on 09/30/2011 to the person named herein at the address shown, which is the last address of record with the Department.

*We are committed to providing equal access to our services.
If you need accommodation, please call 360-902-3900 or TTY 360-664-0116.*

15777938

Exhibit #36**FILED****DEC 27 2011****KCDC - East Division
Redmond****King County District Court, East Division, Redmond Courthouse****STATE OF WASHINGTON,****Plaintiff,****vs.****No. 1Z0501814****DWIGHT MICHAEL HOLLAND****DOB: 2/20/1962****Defendant,****COMPLAINT**

I, Daniel T. Satterberg, Prosecuting Attorney, in the name and by the authority of the State of Washington, do accuse DWIGHT MICHAEL HOLLAND of the crime of **Driving While Under the Influence**, committed as follows:

That the defendant DWIGHT MICHAEL HOLLAND in King County, Washington on or about 16 September 2011, drove a vehicle within this state while under the influence of or affected by intoxicating liquor or any drug; and/or while under the combined influence of or affected by intoxicating liquor and any drug;

Contrary to RCW 46.61.502 and 46.61.506, and against the peace and dignity of the State of Washington.

And I, Daniel T. Satterberg, Prosecuting Attorney for King County, do further allege that the Defendant did refuse to take a breath test offered pursuant to RCW 46.20.308; contrary to Revised Code of Washington 46.61.5055.

AND COMES NOW PLAINTIFF, STATE OF WASHINGTON, AND HEREBY DEMANDS A JURY TRIAL IN THE ABOVE-ENTITLED CAUSE. SUCH DEMAND IS MADE PURSUANT TO CrRLj 6.1.1(B).

DANIEL T. SATTERBERG, Prosecuting Attorney

By: *[Signature]* 42933
ERIN S. NORGAARD, WSBA #32789
Senior Deputy Prosecuting Attorney

**KING COUNTY DISTRICT COURT
EAST DIVISION - REDMOND COURTHOUSE**

Exhibit I

STATE OF WASHINGTON,

No.: 120501814

vs.

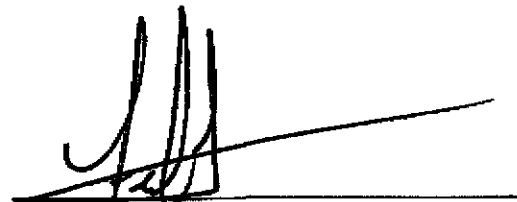
FINDING OF PROBABLE CAUSE

**HOLLAND, DWIGHT MICHAEL
Defendant**

After a careful review of the files and records herein including the statement of probable cause executed by the citing law enforcement officer along with any report submitted by that officer and any accompanying documentation to that report.

THE COURT HEREBY FINDS THAT PROBABLE CAUSE EXISTS that on 9/16/2011 the crime of DUI may have been committed.

Dated: January 9, 2012


Frank V. LaSalata, Judge

WARRANT OF ARREST

Exhibit K

KING COUNTY DISTRICT
In the _____ Court
The City of _____

KING COUNTY, STATE OF WASHINGTON

Plaintiff

vs.

Name

Address HOLLAND, DWIGHT MICHAEL

WA 98032

STATE OF WASHINGTON
COUNTY OF KING
CITY OF _____

Defendant
is

The State of Washington to all Peace Officers.

Greetings:

A complaint/information under oath or certification has been filed in this court, charging the defendant with the crimes herein described.

Therefore, in the name of the State of Washington, you are commanded to arrest the defendant and keep the defendant in custody until the defendant is discharged according to law, and make due return of this warrant with your manner of service endorsed thereon. Cash or surety bond to be approved by court. Service of this warrant by telegraph or teletype is authorized.

Reason for issuance:

- ☐ Failure to Post Bail, Appear, or Arrange Personal Recognizance.
☒ Failure to Appear for Hearing.
☐ Failure to Comply with Court Order.
☐ Failure to Pay Fine or Appear.
☐ CASH BAIL ONLY - No Personal Recognizance or Bail Bond.

Bail		Court Case No.				Warrant Expiration Date			
5,000.00		WSP 1205000000				01/27/2015			
Originating Agency	Sex	Race	D.O.B.		Hgt.	Wgt.	Eyes	Hair	
WSP	M	B	02/20/1962		5 10	222	BRO	BLK	
Place of Employment			Social Security No.			Originating Agency Case No.			
FEDERAL EXP			-			RED			
Operator License No.		State	Expires	Citation Number		Violation Date			
HOLLAND MICHAEL		WA	14	1205000000		09/16/2011			
License Plate No.	State	Expires	Year	Make	Type	Color			
Description of Charge(s)									
Narrative						RCW/Ordinance			
DUI						46.61.502			
Officer's Number				Complainant Under Oath or Certification					
00716				BROCK, ANTHONY					
Additional Identifying Data									

I Hereby Certify That I Arrested the Named Defendant

On The _____ Day of _____

Given Under My Hand This

30 Day of January 2012

Officer _____ Agency _____

Judge/Commissioner _____
REDMOND COURTHOUSE

Service Fees _____ Service _____ Mileage _____ Total _____

The form produced by judicial computer system

KDCDF 04090

Sparking
474
Arrested Asst
or

Name: HOLLAND, DWIGHT MICHAEL
DRIVING WHILE INTOXICATED

Note:

Case: 120501814 KNJ PC Probable Cause

Closed

S	09 22 2011	DEF 1 HOLLAND, DWIGHT MICHAEL Added as Participant		KKK
S		Charge 1 Dismissed : Chrg Not Fld Pnd		KKK
S		Case Heard Before Judge PRESIDING JUDGE		KKK
S		BON 1 ALL CITY BAIL BOND Added as Participant		KKK
S		11265104140 Appearance Bond Posted for DEF 1	500.00	KKK
S		Posted by: ALL CITY BAIL BOND		KKK
S		Appearance Bond SO501749308 Exonerated	500.00	KKK
		EXONERATION LETTER MAILED TO BONDING CO		KKK
S		Case Disposition of CL Entered		KKK
		CASE NOT FILED YET		KKK
S	09 27 2011	PCN added to case		JJS
	10 07 2011	DEFENDANT PHONED; INFORMED CASE NOT YET FILED WITH KCDC AND		ALT
		NO HEARING SCHEDULED AT THIS TIME. DEFENDANT'S ADDRESS		ALT
		UPDATED.		ALT

Redmond

99131

665,212/60

61,086.95

Exhibit M

1Z0501814

On September 16, 2011 at approximately 0132 hours, I was parked on the left shoulder of southbound SR-509 just south of the 1st Ave bridge working speed enforcement. I observed a vehicle crossing over the bridge approaching me from the rear. I obtained a reading with my assigned BEE III RADAR unit of 58mph in a posted 45mph zone (see attached affidavit) The defendants vehicle was the only vehicle approaching me at the time the speed was obtained. I merged off the shoulder and activated my emergency lights and the silver Dodge WA registration B66862B pulled to the right shoulder and stopped.

I contacted the vehicle on the driver's side. As I contacted the vehicle, the driver rolled down the driver's window approximately 1/2 inch. The driver kept talking to me with his head turned away from me. I asked the driver to roll down the window because I couldn't hear him. He then tried to slide his driver's license through the small opening in the window. The driver rolled down the window another 1/2 inch and would not roll it down further so I could hear him. Through the opening in the window, I smelled an obvious odor of intoxicants coming from inside the vehicle. I observed the drivers eyes were very red, bloodshot and droopy. He stated he was coming from a friends house. I had him exit the vehicle.

Outside the vehicle, I asked the defendant how much alcohol he had to drink tonight which he stated, I'm pleading the 5th sir. I asked him if he would do some voluntary field sobriety tests for me which he stated, I'm pleading the 5th sir. I advised him I wanted to make sure he was OK to drive which he stated he was fine to drive. I asked him repeatedly if he wanted to do the tests and each time he refused to say yes or no and just stated he pleaded the 5th and didn't want to incriminate himself. While talking to him I smelled an obvious odor of intoxicants coming from his breath. As he stood in front of me he had a constant sway and repeatedly reached back and used the front of his truck for balance. After considering all the above indicators, I formed the opinion the driver was under the influence of intoxicants and unable to operate a motor vehicle safely. I placed him under arrest for DUI. I read the driver his Miranda warnings and asked him if he understood which he stated, no I do not and I'm not giving up my rights, I'm reserving my rights under UCCC 1-308. I advised him I wasn't asking him to give up his rights, I was asking him if he understood his rights which he stated, I'm reserving my rights I'm waiving my benefits and privileges under UCC 1-08.

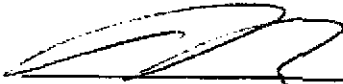
While transporting the driver to Tukwila PD, the inside of my patrol car reeked of intoxicants. At Tukwila PD, I read the driver his Miranda warnings again and the implied consent warnings which he repeatedly stated he pleaded the 5th and was not

E

EXHIBIT M-1

going to do anything to incriminate himself. I asked him if he would submit to a breath test which he stated, I'm not going to do anything to incriminate myself. I advised him that this was a yes or no question and if he did not give me an answer then I would assume he wanted to refuse. He stated this was a trick question and he was not going to do anything to incriminate himself. I took that as a refusal to submit to the breath test and processed him as a refusal.

I certify (declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.



716

King County

Trooper T. Brock #716

EXHIBIT N



Jail Inmate Lookup Service(JILS)

[Browse Jail Register](#)[Search Jail Booking System](#)[Other Jail Search Resources](#)

There are 2 inmate records available that match your search. Sort these 2 by: -

▼ Go

< previous | 1 - 2 of 2 | next >

HOLLAND, DWIGHT M Custody/Facility: OUT Book Date: 09/16/2011 02:58
 BA: 211028790 Release Date: 09/16/2011 13:07 Charge(s): D.W.I.

Charges for this booking**Cause No:** 1Z0501814 **Court:** NORTH EAST **Charge:** D.W.I.

~~HOLLAND, DWIGHT M~~ Custody/Facility: OUT

~~Book Date: 08/10/2012 13:33 BA: 212021016 Release Date: 08/11/2012 20:55~~
 Charge(s): FIA/FAIL TO PAY FARE

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